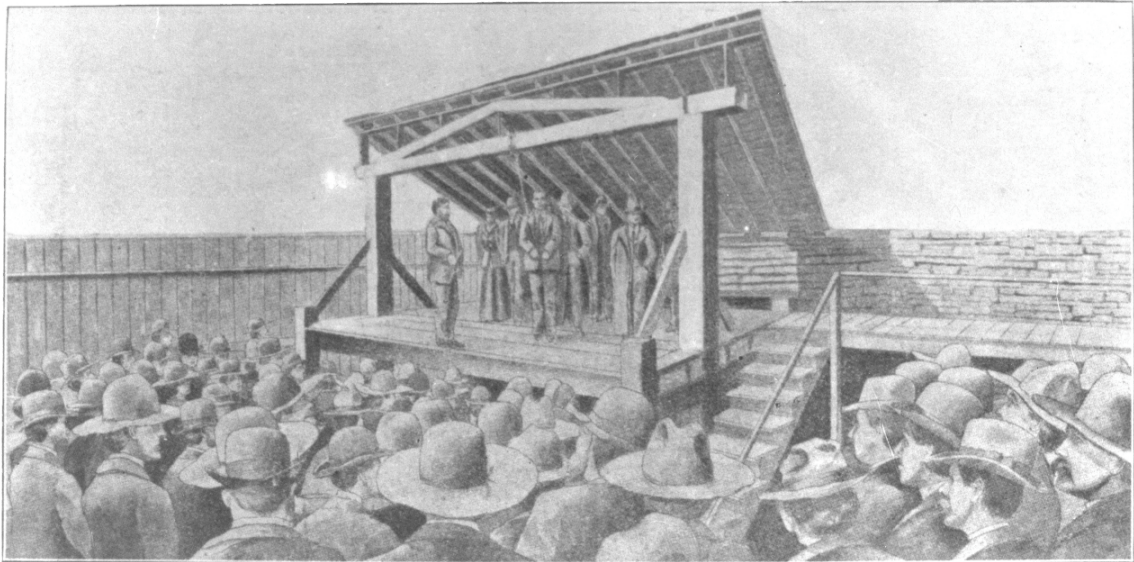




Executions at Fort Smith, 1873-1896



For twenty- three years, the federal court carried out executions on the gallows at Fort Smith. In thirty- nine separate executions, a total of eighty- six men were put to death after being found guilty of rape or murder. More men were put to death by the U.S. Government in Fort Smith than in any other place in American history. These executions, as well as the crimes and trials that lead to them, form a unique and fascinating part of the eighty year story of Fort Smith.

Why were executions conducted here?

The federal district court for the Western District of Arkansas was created in 1851, when Congress split the federal jurisdiction of the state into a eastern and western portion. The jurisdiction of the Western district consisted of ten counties in the Western portion of the state of Arkansas and “all that portion of the Indian Territory within the present judicial district of Arkansas...” The jurisdiction of the court over the lands of the Indian Territory separated the Western District of Arkansas from all other federal district courts in American legal history. The Indian Territory consisted of lands west of the Mississippi river set aside by Congress during the 1830s to be used in relocating the five tribes of the southeast (Cherokee,

Choctaw, Chickasaw, Seminole, and Muscogee (Creek)). In their new lands, these tribes had established reservations, referred to as “Nations,” each with constitutional governments, courts, and law enforcement. However the treaties that each tribe held with the United States limited the sovereignty of the tribal governments and their legal authority. Crimes that involved U.S. citizens as the victim or the accused fell under the jurisdiction of the federal court. Federal law of the time also required a mandatory death sentences for convictions of rape or murder. This unusual situation would lead to the court seeing a volume of criminal cases unique within the federal judiciary.

“Hangman’s Day”

At this location the federal court for the Western District of Arkansas between 1873 and 1896 carried out thirty- nine executions. The U.S. Marshal, the highest- ranking law enforcement officer in the federal court, oversaw each execution. He, not the district judge, carried out the death sentences. In fact, Judge Parker was never present at an execution.

Executions were typically scheduled for Friday afternoons. Present at each execution were court officials, doctors, and ministers. After a short

religious service, the condemned men were given an opportunity to speak. Then, the arms and legs of each man would be tied, the noose adjusted, and a black cap placed over their head. The trapdoor would then be opened, and the condemned men would be “launched into eternity.”

The executions at Fort Smith were open to the general public for three years, 1873- 1876. During those years, crowds of up to two and seven thousand were present for some of the executions. In 1878 an enclosure fence was constructed around the gallows to limit the number of spectators.

Executions come to an end / Legacy of executions

Beginning in 1883, the jurisdiction of the Fort Smith court over the lands of the Indian Territory is removed piece by piece by Congress. On September 1, 1896 the remaining jurisdiction of the Western District of Arkansas over the lands of the Indian Territory is removed. With this change, the federal courts overwhelming criminal case load came to an end, as well as the need for the gallows.

The last execution occurred here on July 30, 1896. The gallows stood unused for a year until the city of Fort Smith demolished the structure in mid- July, 1897.

A reconstruction of the gallows is located on the original site today and it stands as a reminder of the turbulent years in the late 19th century when white and Native American populations struggled to define justice on the frontier.

List of executions at
Fort Smith, 1873-1896

Date of execution	Name of Condemned
August 15, 1873	John Childers
October 10, 1873	Tunagee, alias Tuni Young Wolf
April 3, 1874	John Billy Isaac Filmore John Pointer
January 15, 1875	McClish Impson
September 3, 1875	Edmund Campbell Daniel Evans Samuel Fooy Smoker Mankiller James Moore William Whittington
<i>The first execution to occur under the tenure of Judge Isaac C. Parker.</i>	
April 21, 1876	Gibson Ishtanubbee William Leach Orpheus McGee Isham Seeley Aaron Wilson
September 8, 1876	Samuel Peters Osey Sanders John Valley Sinker Wilson
December 20, 1878	James Diggs John Postoak
August 29, 1879	William Elliot Wiley, alias Colorado Bill Dr. Henri Stewart
September 9, 1881	William Brown Abler Manley Amos Manley Patrick McGowen George W. Padgett
June 30, 1882	Edward Fulsom
April 13, 1883	Robert Massey
June 29, 1883	William Finch Martin Joseph Te- o- lit- se
July 11, 1884	John Davis Thomas Thompson Jack Womankiller
April 17, 1885	William Phillips
June 26, 1885	James Arcine William Parchmeal
April 23, 1886	Joseph Jackson James Wasson

Date of execution	Name of Condemned
July 23, 1886	Calvin James Lincoln Sprole
August 6, 1886	Kitt Ross
January 14, 1887	John T. Echols James Lamb Albert O'Dell John Stephens
April 8, 1887	Patrick McCarty
October 7, 1887	Seaborn Kalijah, alias Seaborn Green Silas Hampton
April 27, 1888	Jackson Crow Owen Hill George Moss
July 6, 1888	Gus Bogles
January 25, 1889	Richard Smith
April 19, 1889	Malachi Allen James Mills
August 30, 1889	Jack Spaniard William Walker
January 16, 1890	Harris Austin John Billy Jimmon Burris Sam Goin Jefferson Jones Thomas Willis
January 30, 1890	George Tobler
July 9, 1890	John Stansberry
June 30, 1891	Boudinot Crumpton, alias Bood Burris
April 27, 1892	Sheppard Busby
June 28, 1892	John Thornton
July 25, 1894	Lewis Holder
September 20, 1894	John Pointer
March 17, 1896	Crawford Goldsby, alias Cherokee Bill
April 30, 1896	Webber Isaacs George Pierce John Pierce
July 1, 1896	Rufus Buck Lewis Davis Lucky Davis Maoma July Sam Sampson
<i>The only men to be executed for a rape conviction at Fort Smith.</i>	
July 30, 1896	George Wilson, alias James Casherago